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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

16

Application Number
10/648,508Filing Date
08/25/2003First Named Inventor
BrzozowskiArt Unit
2873Examiner Name
Mai, Huy Kim

Attorney Docket Number

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | Response to Notice of Non-Compliant Amendment | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Wenger Law Offices		
Signature			
Printed name	Patricia A. Wenger		
Date	October 22, 2004	Reg. No.	42,218

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Patricia A. Wenger	Date	October 22, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frank Brzozowski

Serial No.: 10/648,508

Filed: August 25, 2003

For: Configurable Eyewear

Group Art Unit: 2873

Examiner: Huy Kim Mai

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

In connection with the Notice of Non-Compliant
Amendment mailed September 22, 2004, kindly add claims 44
and 45 as follows:

In the Claims

What is claimed is:

1 (original): A configurable eyewear system, said eyewear
system comprised of at least one temple member and at least
one lens, said eyewear system further comprising at least
one first mating member and at least one second mating